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In the matter of the claim of

NOTICE OF CLAIM

YANG FENG ZHAO,

Claimant.
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To: CITY OF NEW YORK
Corporation Counsel
100 Church Street
New York, New York 10007

NEW YORK CITY POLICE DEPARTMENT
One Police Plaza
New York, New York

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PLEASE TAKE NOTICE, that pursuant to Section 50-e of the General Municipal Law, claimant
YANG FENG ZHAO, hereby makes claim and demand against the CITY OF NEW YORK and the
NEW YORK CITY POLICE DEPARTMENT as follows:

1. CLAIMANTS:

YANG FENG ZHAO
85 Bayard Street, #7
New York, NY

2. CLAIMANTS' ATTORNEYS:

SIEGLE & SIMS L.L.P.
217 Broadway - Suite 611
New York, New York 10007
(212) 406-0110

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3. NATURE OF CLAIM:

Claim is made for personal, psychological and psychiatric injuries, conscious pain and suffering, humiliation, harm to reputation and standing in the community and all other damages, as well as violations of the claimant's Federal and State Constitutional and Civil Rights as a result of the

malicious, wrongful, intentional, improper, and negligent conduct and omissions of the CITY OF NEW YORK and the NEW YORK CITY POLICE DEPARTMENT, in the false arrest, false imprisonment, malicious prosecution, coerced, forced false confession, assault, battery, search, strip search, slander, libel, intentional infliction of emotional distress, negligent infliction of emotional distress of claimant, all of which violated claimant's State and Federal Constitutionally protected rights and freedoms, including his civil rights.

4. DATE OF OCCURRENCE: October 24, 2005, through the release of defendant from prison on September 22, 2006, and continuing through the present, as the Queens County District Attorney's Office has not yet dismissed the indictment against claimant, although said dismissal is expected.
5. TIME OF OCCURRENCE: Between the hours of approximately 3:00 p.m. on October 24, 2005, continuing through claimant's release from prison on September 22, 2006, and continuing through the present, until the dismissal of the indictment against claimant which is expected in the near future.
6. PLACE OF OCCURRENCE: Claimant was falsely arrested in a park, located in the vicinity of Grand Street and Hester Street, New York, New York. He was then tortured, assaulted, beaten, battered and interrogated at the 5th Police Precinct, New York City Police Department, 19 Elizabeth Street, New York, New York, the New York County District Attorney's Office, One Hogan Place, New York, New York, and the 112th Police Precinct, New York City Police Department, 68-49 Austin Street, Forest Hills, New York, the abuse of claimant continuing through his incarceration at the Vernon C. Bain Correctional Facility, Bronx, New York ("The Boat"), his incarceration at G.R.V.C., Riker's Island, East Elmhurst, New York, through each and every court appearance

at the Criminal Court of the City of New York and Supreme Court of the State of New York, 125-01 Queens Boulevard, Kew Gardens, New York, and elsewhere, including the publication of news articles in various newspapers describing the facts underlying the claimant's arrest and prosecution for murder.

7. MANNER IN WHICH
CLAIM AROSE:

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COMMUNITY SERVICE
CENTRAL JAIL FACILITY
BUREAU OF PRISONS

On the dates, times and places mentioned herein, due to the wanton, negligent, neglectful, improper, malicious and grossly inadequate conduct, hiring, investigation, training, and supervision of the Police Officers, Detectives and other personnel employed by the CITY OF NEW YORK and the NEW YORK CITY POLICE DEPARTMENT, claimant was wrongfully arrested, detained, imprisoned, searched, strip searched, maliciously prosecuted, libeled, slandered, tortured, coerced and forced to confess to a crime he did not commit, as a result of both physical abuse and psychological intimidation, in violation of his Federal and State Constitutional rights when improperly and with malice aforethought claimant was arrested without having committed any crime, charged and prosecuted for the crime of Murder in the Second Degree, a crime he did not commit, strip searched without reasonable cause and in violation of his State and Federal constitutional rights, kept in custody from October 24, 2005, through September 22, 2006, when he was released on the motion of the District Attorney's Office, Queens County. Said conduct by the City of New York and the New York City Police Department causing the claimant to be falsely arrested, falsely imprisoned, tortured, coerced and forced to confess to a crime he did not commit, assaulted, battered, searched, strip searched, maligned, libeled, slandered, and was subject to intentional infliction of emotional distress and negligent infliction of emotional distress.

8. DAMAGES OR INJURIES
CLAIMED:

As a result of the wanton, negligent, neglectful, improper, malicious and grossly inadequate conduct, investigation, hiring, training, and supervision of the Police Officers, Detectives and other personnel employed by the CITY OF NEW YORK and the NEW YORK CITY POLICE DEPARTMENT involved in the investigation, false arrest, false imprisonment, malicious prosecution, torture, and forced, coerced confession, assault, battery, search, strip search, libel, slander, intentional infliction of emotional distress and negligent infliction of emotional distress and the violation of both Federal and State Constitutional rights of claimant, including the coerced, forced false confession by claimant to a crime they knew, or with the exercise of reasonable due diligence should have known, he did not commit. By this conduct, claimant was caused to sustain severe and grievous psychiatric, psychological, emotional and economic damages the extent of which are presently unknown. Additionally, due to the intentional, malicious, egregious and wrongful conduct of the Police Officers, Detectives and other personnel employed by the CITY OF NEW YORK and the NEW YORK CITY POLICE DEPARTMENT involved in claimant's arrest herein, claimant is entitled to punitive damages and costs of this action, including attorney's fees.

PLEASE TAKE FURTHER NOTICE, that claimant's demand is hereby presented for adjustment and payment.

PLEASE TAKE FURTHER NOTICE, that upon the refusal or failure of the CITY OF NEW YORK and the NEW YORK CITY POLICE DEPARTMENT to settle this claim within the time limit prescribed by law, claimant intends to commence an action against the CITY OF NEW YORK and the

NEW YORK CITY POLICE DEPARTMENT seeking damages together with interests, costs and disbursements of said action.

Dated: New York, New York
November 9, 2006

A handwritten signature in black ink, appearing to read 'J. D. Sims', written over a horizontal line.

Jonathan D. Sims

SIEGLE & SIMS L.L.P.

ATTORNEYS FOR CLAIMANTS

217 Broadway - Suite 611

New York, New York 10007

(212) 406-0110

VERIFICATION

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

· YANG FENG ZHAO, being duly sworn deposes and says:

That he has read the attached NOTICE OF CLAIM and the same is true to his own belief, and as to those matters, he believes them to be true to the best of his knowledge.

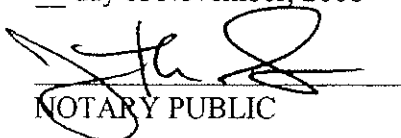
That deponent's sources of information is his own personal knowledge, the office file containing statements, reports and records of investigation, investigators, parties and witnesses, with which deponent is fully familiar.

Dated: New York, New York
November 9, 2006



YANG FENG ZHAO

Sworn to before me this
9th day of November, 2006



NOTARY PUBLIC

JONATHAN D. SIMS
Notary Public, State of New York
No. 02SI6015346
Qualified in New York County
Commission Expires 10/26/2010